

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY S D.C.
05 AUG 30 AM 8:07
THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TN, JACKSON

TERRY L. CHARLTON)

Plaintiff,)

VS.)

No. 04-1290-T/An)

TENNESSEE DEPARTMENT OF)
CORRECTION, ET AL.,)

Defendants.)

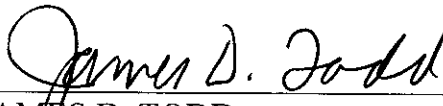
ORDER FOR PLAINTIFF TO SHOW CAUSE


Plaintiff Terry L. Charlton, an inmate at the Whiteville Correctional Facility in Whiteville, Tennessee, filed a complaint pursuant to 42 U.S.C. § 1983. On February 18, 2005, the Court dismissed certain claims and defendants, and ordered that process be issued for the remaining defendants, Corrections Corporation of America ("CCA") and Dr. F. Cole. CCA was served with process on March 4, 2005 and responded to the complaint by filing a motion to dismiss on March 21, 2005. Defendant Cole was served on February 25, 2005 but has filed neither an answer nor a motion to dismiss.

Although Cole has failed to respond to the complaint in accordance with the Federal Rules of Civil Procedure, plaintiff has taken no further action with regard to this defendant.

Therefore, plaintiff is hereby ORDERED to show cause, within 20 days after the entry of this order, why his claims against defendant Cole should not be dismissed for failure to prosecute.

IT IS SO ORDERED.



JAMES D. TODD
UNITED STATES DISTRICT JUDGE


DATE



Notice of Distribution

This notice confirms a copy of the document docketed as number 24 in case 1:04-CV-01290 was distributed by fax, mail, or direct printing on August 31, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT